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CITY OF SUNNYVALE,
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UNITED STATE DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ERIKA CANAS, JOSE CANAS, a minor, by
and through his guardian ad litem, and JESUS
CANAS, by and through his guardian ad litem,

Plaintiffs,

vs.

CITY OF SUNNYVALE, CHRIS SEARLE,
DARREN PANG and DOES ONE through
TWENTY-FIVE,

Defendants.

Case No.: C08-03598 RMW

**STIPULATION AND [PROPOSED] ORDER
CONTINUING HEARING DATE FOR
DEFENDANTS RULE 12(b) (6) MOTION
TO DISMISS PLAINTIFF'S COMPLAINT**

The parties, acting by and through their respective legal counsel, herein stipulate for an Order continuing the hearing date for defendants motion to dismiss plaintiff's complaint pursuant to FRCP Rule 12(b)(6) from Friday, 9:00 a.m., September 26, 2008 to Friday, 9:00 am, October 17, 2008. The filing and service of Plaintiffs' opposition brief is continued to Friday, September 26, 2008 and defendants' filing and service of their reply brief is continued to Friday, October 3, 2008. Good cause exists for this stipulation because counsel for the defense is scheduled for a federal jury trial commencing the week of Tuesday September 23, 2008 before the Honorable Thelton E. Henderson in the United States District Court in San Francisco which is expected to take one week.

